

Appendix A

Claim Terms	Lawson's Proposed Constructions	ePlus's Proposed Constructions	Relevant Prior Court Constructions
<u>Means-Plus-Function Terms</u>			
<p><u>1. Means for building a requisition using data relating to selected matching items and their associated source(s)</u></p> <p>claims 3 and 6 of the '683 patent</p>	<p><u>Function:</u> Building a requisition using data related to selected matching items and their associated source(s).</p> <p><u>Means:</u> One means for building a requisition is disclosed:</p> <p>1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:</p> <p>a. entering certain data (e.g., account number, requisition number) in requisition/purchasing system (40 or 240) to create requisition tables stored in requisition database (42A) ('683 patent, 6:44-65, 7:20-28);</p> <p>b. initiating search for matching item(s) in catalog database (36 or 236) from either requisition/purchasing system (40 or 240) or catalog search program (50 or 250) running on local computer (20 or 220) via two search means described above (<i>id.</i> at 8:15-32);</p>	<p><u>Function:</u> building a requisition using data relating to selected matching items and their associated source(s).</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules including a requisition module to execute an algorithm which includes the steps of: (1) selecting one or more items from hit lists of catalog items matching search criteria that were returned from searching selected product catalogs; (2) transferring the selected matching item data to a requisition module; and (3) building a requisition using data from the selected matching items to populate certain fields on the requisition form; and structural equivalents thereof. <i>See, e.g.,</i> '683 Patent, Col. I, ll. 11-35; Col 3, ll. 16-19; Col. 4, ll. 1-3; Col. 4, ll. 10-22; Col. 5, ll. 18-38; Col. 6, ll. 39-Col. 8, ll. 2; Col. 10, ll. 21-43; Col. 11, ll. 30-67; Col. 12, ll. 30-Col.</p>	<p>The same as the construction proposed by Lawson. (Ex. G at 3-4.)</p>

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	<p>c. displaying via catalog search program a hit list (47) of search results (<i>id.</i> at 9:39-45; 12:27-29; Appendix III);</p> <p>d. selecting one or more items to be requisitioned (<i>id.</i> at 10:21-24; 11:30-38);</p> <p>e. generating an order list (48) in shell (52 or 252) and catalog search program (50 or 250) containing data relating to selected items (e.g., vendor name, product description, list price) (<i>id.</i> at 11:20-38; 11:62-66);</p> <p>f. displaying data relating to selected items in order list (48) (<i>id.</i> at 11:38-43; 12:38-40; Appendix VI);</p> <p>g. transmitting data from order list (48) to requisition/purchasing system running on same local computer (20 or 220) via the DDE protocol of interface (60) (<i>id.</i> at 11:50-54; 12:48-53; 13:1-21); and</p> <p>h. updating requisition tables in requisition database (42A) with data received from order list (48) via interface (60)</p>	<p>14,1. 4; Col. 16,11.40-54; Col. 17,11. 10-28; Col. 18, 11.47-52; Figs. 1-3; App. I, II, VI, VIII, IX.</p>	

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	<i>(id. at 12:60-67).</i>		
<p><u>2. Means for building a requisition that uses data obtained from said database relating to selected matching items on said order list</u></p> <p>claim 1 of the '172 patent</p>	<p><u>Function:</u> Building a requisition that uses data obtained from said database relating to selected matching items on said order list.</p> <p><u>Means:</u> One means for building a requisition is disclosed:</p> <p>1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:</p> <p>a. entering certain data (e.g., account number, requisition number) in requisition/purchasing system (40 or 240) to create requisition tables stored in requisition database (42A) ('172 patent, 6:44-65; 7:20-28);</p> <p>b. initiating search for matching item(s) in catalog database (36 or 236) from either requisition/purchasing system (40 or 240) or catalog search program (50 or 250) running on local computer (20 or 220) via two search means described above (<i>id.</i> 8:15-32);</p>	<p><u>Function:</u> building a requisition that uses data obtained from a database relating to selected matching items on an order list.</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules including a requisition module to execute an algorithm which includes the steps of: (1) transferring data relating to selected matching items included on an order list to a requisition program; and (2) building a requisition using data from the selected matching items on the order list to populate certain fields on the requisition form; and structural equivalents thereof. See, e.g., '172 Patent, Col. 1, 11. 15-40; Col. 10, 11. 22- 44; Col. 12, 1. 52- Col. 14, 1. 14; Figs. 1-3; App. I, II, VI, VIII, IX.</p>	<p>The same as the construction proposed by Lawson. (Ex. G at 13-14.)</p>

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	<p>c. displaying via catalog search program a hit list (47) of search results (<i>id.</i> 9:39-45, 12:27-29, Appendix III)</p> <p>d. Selecting one or more items to be requisitioned (<i>id.</i> 10:21-24, 11:30-38);</p> <p>e. generating an order list (48) in shell (52 or 252) and catalog search program (50 or 250) containing data relating to selected items (e.g., vendor name, product description, list price) (<i>id.</i> 11:20-38, 11:62-66);</p> <p>f. Displaying data relating to selected items in order list (48) (<i>id.</i> 11:38-43, 12:38-40, Appendix VI);</p> <p>g. transmitting data from order list (48) to requisition/purchasing system running on same local computer (20 or 220) via DDE protocol of interface (60) (<i>id.</i> 11:50-54, 12:48-53, 13:1-21); and</p> <p>h. updating requisition tables in requisition database (42A) with data received from order list (48) via interface (60) (<i>id.</i> 12:60-67).</p>		

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<p><u>3. Means for entering product information that at least partially describes at least one desired item</u></p> <p>claim 1 of the '172 patent</p>	<p><u>Function:</u> Entering product information that at least partially describes at least one desired item.</p> <p><u>Means:</u> Two means for performing this function are disclosed:</p> <ol style="list-style-type: none"> 1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following step: <ol style="list-style-type: none"> a. entering in requisition/purchasing system (40 or 240) certain fields of information (e.g., catalog number, part number, or partial text) that partially describe an item ('172 patent, 7:48-55, 7:61-8:2, 8:22-26). 2. A software means initiated from shell program (52 or 252) running on local computer (20 or 220) that consists of the following steps: <ol style="list-style-type: none"> a. displaying a search screen on the monitor of local computer (<i>id.</i> at 12:4-12, Appendix VII); and b. entering search criteria 	<p><u>Function:</u> entering product information that at least partially describes at least one desired item.</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules to execute an algorithm which includes the step of receiving certain fields of entered information, (<i>e.g.</i>, catalog number, part number, partial text, etc.) to at least partially describe at least one desired item; and structural equivalents thereof. <i>See, e.g.</i>, '172 Patent, Col. 5,1. 24-Col. 6,1. 27; Col. 7, 1. 66- Col. 8,1. 37; Col. 8,11. 45- 62; Col. 12,11.6-28; Figs. 1-2; App. VII.</p>	<p>The same as the construction proposed by Lawson. (Ex. G at 12.)</p>

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	(e.g., catalog page number, keyword, part number) for item to be searched (<i>id.</i> at 9:12-14, 12:12-24).		
<p>4. Means for generating an order list that includes at least one matching item selected by said means for searching</p> <p>claim 1 of the '172 patent</p>	<p><u>Function</u>: Generating an order list that includes at least one matching item selected by said means for searching.</p> <p><u>Means</u>: One means for generating an order list is disclosed:</p> <p>1. A software means that utilizes catalog search program (50 or 250) and shell program (52 or 252) and consists of the following steps:</p> <p>a. displaying via catalog search program (50 or 250) a hit list (47) of search results ('172 patent, 9:39-45, 12:27-29, Appendix III);</p> <p>b. selecting one or more items to be requisitioned (<i>id.</i> 10:21-24, 11:30-38); and</p> <p>c. generating an order list (48) in shell (52 or 252) and catalog search program (50 or 250) containing data relating to selected items (e.g., vendor name, product description, list price) (<i>id.</i> 11:20-38, 11:62-66).</p>	<p><u>Function</u>: generating an order list that includes at least one matching item selected by a search engine program.</p> <p><u>Exemplary corresponding structure, material and acts</u>: a computer which is programmed with special-purpose software modules to execute an algorithm which includes the steps of: (1) displaying a hit list of results of a search corresponding to items matching the entered product information; (2) selecting one or more items from the hit list for inclusion in an order list; and (3) generating an order list containing data related to the selected matching items; and structural equivalents thereof. See, e.g., '172 Patent, Col. 9, 1.51- Col. 10, 1. 44; Col. 10, 1. 66-Col. 12, 1. 2; Col. 12, 11. 42-57; Col. 17, 1. 55-Col. 18, 1. 10; Col. 18, 11. 43-50; Appendix III; Appendix VI;</p>	<p>The same as the construction proposed by Lawson. (Ex. G at 13.)</p>

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		Figs 1A, IB, IC.	
<p><u>5. Means for searching for matching items in the database</u></p> <p>claim 6 of the '683 patent</p>	<p><u>Function:</u> Searching for matching items in the database</p> <p><u>Means:</u> Two means are disclosed:</p> <ol style="list-style-type: none"> 1. Software initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps: <ol style="list-style-type: none"> a. entering certain search criteria (e.g., catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system ('683 patent, 7:48-55, 7:61-8:2, 8:22-26); b. concatenating (i.e., joining together by linking so as to form a chain or series) only selected product catalogs to be searched after the user selects the catalogs to be searched (<i>id.</i> 9:67-10:4). c. searching local RIMS databases (42) based on search criteria, and if found, search is complete (<i>id.</i> 6:6-8, 7:36-38, 4:20-23); d. if items are not found in 	<p><u>Function:</u> searching for matching items in the database.</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules including a search engine module to execute an algorithm which includes the steps of: (1) receiving search criteria (e.g., catalog number, part number, partial textual description) relating to items(s) to be searched; (2) communicating the search criteria to a search engine program; (3) querying certain fields of the item data to locate item records in the database matching the search criteria; and (4) outputting items matching the search criteria; and structural equivalents thereof. <i>See, e.g.,</i> '683 Patent, Col. 4,11. 4-9; Col. 4, 11. 25-30; Col. 5; 11. 18-39; Col. 5, 61-Col. 6, 1. 22; Col. 7,1. 61-Col. 8,1. 32; Col. 8,1. 40- Col. 10,1. 20; Col. 10,1. 65- Col. 11,1. 29; Col. 12,11.4-29; Col.</p>	<p><u>Function:</u> Searching for matching items among items in the database.</p> <p><u>Means:</u> Two means for searching for matching items are disclosed:</p> <ol style="list-style-type: none"> 1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps: <ol style="list-style-type: none"> a. entering search criteria (e.g., catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system (40 or 240) (7:48-55; 7:61-8:2; 8:22-26); b. searching local RIMS databases (42) based on search criteria, and if found, search is complete (6:6-8; 7:36-38; 4:20-23); c. if items not found in RIMS databases (42), communicating search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250)

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	<p>RIMS databases (42), communicating the search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) (<i>id.</i> 8:37-9:8);</p> <p>e. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) based on the search criteria received from requisition/purchasing system (<i>id.</i> 9:34-37, 10:8-20);</p> <p>f. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword and (c) page number, stopping at highest priority search criteria resulting in a match (<i>id.</i> 6:14-22); and</p> <p>g. displaying via catalog search program a hit list of search results (<i>id.</i> 9:39-45).</p> <p>2. Software initiated from shell program (52 or 252)</p>	<p>16,11.8-32; Col. 18,11.6-13; Figs. 1A, 1B, 1C, 2; Appendices I, II, III, IV, V, VI, VII.</p>	<p>running on same local computer via the DDE protocol of interface (60) (8:37-9:8);</p> <p>d. searching catalog database (36 or 236) via catalog search program based on search criteria received from requisition/purchasing system (40 or 240) (9:34-37);</p> <p>e. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and</p> <p>f. displaying via catalog search program a hit list of search results (9:39-45).</p> <p>2. A software means initiated from shell program (52 or 252) running on local computer (20 or 220), that consists of the following steps:</p> <p>a. displaying a search screen on the monitor of local computer (12:4-12; Appendix VII);</p> <p>b. entering search criteria</p>

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	<p>running on local computer (20 or 220), that consists of the following steps:</p> <p>a. displaying a search screen on the monitor of local computer (<i>id.</i> 12:4-12, Appendix VII);</p> <p>b. receiving search criteria (e.g., catalog page number, keyword, part number) for item to be searched (<i>id.</i> 9:12-14, 12:12-24);</p> <p>c. concatenating (i.e., joining together by linking so as to form a chain or series) only the selected product catalogs to be searched after the user selects the catalogs to be searched (<i>id.</i> 9:67-10:4).</p> <p>d. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (<i>id.</i> 9:34-37, 10:8-20);</p> <p>e. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part</p>		<p>(e.g. catalog page number, keyword, part number) for item to be searched (9:12-14; 12:12-24);</p> <p>c. searching catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (9:34-37);</p> <p>d. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and</p> <p>e. displaying via catalog search program a hit list (47) of search results (9:39-45; 12:27-29; Appendix III). (Ex. G at 6-7.)</p>

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	(catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (<i>id.</i> 6:14-22); and f. displaying via catalog search program a hit list (47) of search results (<i>id.</i> 9:39-45, 10:2-4, 12:27-29, Appendix III).		
<p><u>6. Means for searching for matching items that match the entered product information in the selected portions of the database</u></p> <p>claim 1 of the '172 patent</p>	<p><u>Function:</u> Searching for matching items that match the entered product information in the selected portions of the database</p> <p><u>Means:</u> Two means are disclosed:</p> <p>1. Software initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:</p> <p>a. entering certain search criteria (e.g., catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system ('172 patent, 7:48-55, 7:61-8:2, 8:22-26);</p> <p>b. searching local RIMS</p>	<p><u>Function:</u> searching for matching items that match the entered product information in the selected portions of the database.</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules including a search engine module to execute an algorithm which includes the steps of: (1) receiving the entered product information relating to item(s) to be searched; (2) communicating the entered product information to a search engine module; (3) querying certain fields of the item data to locate</p>	<p><u>Function:</u> Searching for matching items that match the entered product information only in selected portions of the database.</p> <p><u>Means:</u> Two means for searching only in selected portions of the database are disclosed:</p> <p>1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:</p> <p>a. entering search criteria (e.g., catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system (40 or 240) (7:48-55; 7:61-8:2;</p>

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	<p>databases (42) based on search criteria, and if found, search is complete (<i>id.</i> 6:6-8, 7:36-38, 4:20-23);</p> <p>c. if items are not found in RIMS databases (42), communicating the search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) (<i>id.</i> 8:37-9:8);</p> <p>d. concatenating (i.e., joining together by linking so as to form a chain or series) only selected product catalogs to be searched after the user selects the catalogs to be searched (<i>id.</i> 9:67-10:4).</p> <p>e. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) based on the search criteria received from requisition/purchasing system (<i>id.</i> 9:34-37, 10:8-20);</p> <p>f. if more than one search criterion is received, catalog</p>	<p>item records in the selected portions of the database matching the entered product information; and (4) outputting a hit list of items matching the entered product information; and structural equivalents thereof. See, e.g., '172 Patent, Col. 4, 11. 10-14; Col. 6, 11.4-27; Col. 7, 1. 66- Col. 8, 1. 37; Col. 8, 1. 45-Col. 10, 1. 21; Col. 12, 11.6-41; Figs. 1A, 1B, 1C, 2; Appendix III; Appendix VII."</p>	<p>8:22-26);</p> <p>b. searching local RIMS databases (42) based on search criteria, and if found, search is complete (4:20-23; 6:6-8; 7:36-38);</p> <p>c. if items are not found in RIMS databases (42), communicating search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) (8:37-9:8);</p> <p>d. searching catalog database (36 or 236) via catalog search program based on search criteria from requisition/purchasing system (40 or 240) (9:34-37);</p> <p>e. if more than one search criteria is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and</p> <p>f. displaying via catalog</p>

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	<p>search program prioritizes search as follows: (a) part (catalog) number, (b) keyword and (c) page number, stopping at highest priority search criteria resulting in a match (<i>id.</i> 6:14-22); and</p> <p>g. displaying via catalog search program a hit list of search results (<i>id.</i> 9:39-45).</p> <p>2. Software initiated from shell program (52 or 252) running on local computer (20 or 220), that consists of the following steps:</p> <p>a. displaying a search screen on the monitor of local computer (<i>id.</i> 12:4-12, Appendix VII);</p> <p>b. receiving search criteria (e.g., catalog page number, keyword, part number) for item to be searched (<i>id.</i> 9:12-14, 12:12-24);</p> <p>c. concatenating (i.e., joining together by linking so as to form a chain or series) only the selected product catalogs to be searched after the user selects the catalogs to be searched (<i>id.</i> 9:67-10:4).</p>		<p>search program a hit list of search results (9:39-45). (Ex. G at 12-13.)</p>

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	<p>d. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (<i>id.</i> 9:34-37, 10:8-20);</p> <p>e. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (<i>id.</i> 6:14-22); and</p> <p>f. displaying via catalog search program a hit list (47) of search results (<i>id.</i> 9:39-45; 10:2-4, 12:27-29, Appendix III).</p>		
<p><u>7. Means for searching for matching items among the selected product catalogs</u></p> <p>claim 3 of the '683 patent</p>	<p><u>Function:</u> Searching for matching items among the selected two or more product catalogs</p> <p><u>Means:</u> Two means are disclosed:</p> <p>1. Software initiated from requisition/purchasing system (40 or 240) running on local</p>	<p><u>Function:</u> Searching for matching items among the selected product catalogs.</p> <p><u>Exemplary corresponding structure, material and acts:</u> A computer which is programmed with special-purpose software modules including a search engine</p>	<p><u>Function:</u> Searching for matching items among the selected product catalogs.</p> <p><u>Means:</u> Two means for searching for matching items are disclosed:</p> <p>1. A software means initiated from requisition/purchasing system</p>

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	<p>computer (20 or 220) that consists of the following steps:</p> <p>a. entering certain search criteria (e.g., catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system ('683 patent, 7:48-55, 7:61-8:2, 8:22-26);</p> <p>b. searching local RIMS databases (42) based on search criteria, and if found, search is complete (<i>id.</i> 6:6-8, 7:36-38, 4:20-23);</p> <p>c. if items are not found in RIMS databases (42), communicating the search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) (<i>id.</i> 8:37-9:8);</p> <p>d. concatenating (i.e., joining together by linking so as to form a chain or series) only selected product catalogs to be searched after the user selects the catalogs to be</p>	<p>module to execute an algorithm which includes the steps of: (1) receiving search criteria (<i>e.g.</i>, catalog number, part number, partial textual description) relating to item(s) to be searched; (2) communicating the search criteria to a search engine module; (3) querying certain fields of the item data to locate item records in the selected product catalogs matching the search criteria; and (4) outputting items matching the search criteria; and structural equivalents thereof. <i>See, e.g.</i>, '683 Patent, Col. 4, 11. 4-9; Col. 4, 11. 25-30; Col. 5, 11. 18-39; Col. 5, 1. 61-Col. 6, 1. 22; Col. 7, 1. 61-Col. 8, 1. 32; Col. 8, 1. 40-Col. 10, 1. 20; Col. 10, 1. 65-Col. 11, 1. 29; Col. 12, 11. 4-29; Col. 16, 11.8-32; Col. 18, 11. 6-13; Figs. 1A, 1B, 1C, 2; Appendices I, II, III, IV, V, VI, VIII.</p>	<p>(40 or 240) running on local computer (20 or 220) that consists of the following steps:</p> <p>a. entering certain search criteria (e.g., catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system (7:48-55; 7:61-8:2; 8:22-26);</p> <p>b. communicating the search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) (8:37-9:8);</p> <p>c. searching catalog database (36 or 236) via catalog search program (50 or 250) based on the search criteria received from requisition/purchasing system (9:34-37);</p> <p>d. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping</p>

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	<p>searched (<i>id.</i> 9:67-10:4).</p> <p>e. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) based on the search criteria received from requisition/purchasing system (<i>id.</i> 9:34-37; 10:8-20);</p> <p>f. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword and (c) page number, stopping at highest priority search criteria resulting in a match (<i>id.</i> 6:14-22); and</p> <p>g. displaying via catalog search program a hit list of search results (<i>id.</i> 9:39-45).</p> <p>2. Software initiated from shell program (52 or 252) running on local computer (20 or 220), that consists of the following steps:</p> <p>a. displaying a search screen on the monitor of local computer (<i>id.</i> 12:4-12, Appendix VII);</p> <p>b. receiving search criteria</p>		<p>at highest priority search criteria resulting in a match (6:14-22); and</p> <p>e. displaying via catalog search program a hit list of search results (9:39-45).</p> <p>2. A software means initiated from shell program (52 or 252) running on local computer (20 or 220), that consists of the following steps:</p> <p>a. displaying a search screen on the monitor of local computer (12:4-12; Appendix VII);</p> <p>b. entering search criteria (e.g., catalog page number, keyword, part number) for item to be searched (9:12-14; 12:12-24);</p> <p>c. searching catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (9:34-37);</p> <p>d. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword,</p>

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	<p>(e.g., catalog page number, keyword, part number) for item to be searched (<i>id.</i> 9:12-14, 12:12-24);</p> <p>c. concatenating (i.e., joining together by linking so as to form a chain or series) only the selected product catalogs to be searched after the user selects the catalogs to be searched (<i>id.</i> 9:67-10:4).</p> <p>d. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (<i>id.</i> 9:34-37, 10:8-20);</p> <p>e. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (<i>id.</i> 6:14-22); and</p> <p>f. displaying via catalog search program a hit list (47) of search results (<i>id.</i> 9:39-45,</p>		<p>and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and</p> <p>e. displaying via catalog search program a hit list (47) of search results (9:39-45; 12:27-29, Appendix III). (Ex. G at 2-3.)</p>

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	10:2-4, 12:27-29, Appendix III).		
<p><u>8. Means for selecting the product catalogs to search</u></p> <p>claim 3 of the '683 patent</p>	<p><u>Function</u>: Selecting two or more product catalogs to search</p> <p><u>Means</u>: Two means for selecting two or more product catalogs are disclosed:</p> <ol style="list-style-type: none"> 1. Software initiated from catalog search program (50 or 250) running on local computer (20 or 220) that consists of the following steps: <ol style="list-style-type: none"> a. selecting two or more product catalogs from a list of available catalogs displayed to a user ('683 patent, 9:52-67); and 2. Software initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps: <ol style="list-style-type: none"> a. entering vendor identification information into requisition/purchasing system (<i>id.</i> 10:8-11); and b. communicating vendor identification from requisition/purchasing system to catalog search program running on same local 	<p><u>Function</u>: selecting the product catalogs to search. <u>Exemplary corresponding structure, material and acts</u>: a computer which is programmed with special-purpose software modules to execute an algorithm which includes the steps of: (1) receiving inputted information relating to a user's selection of product catalogs to search from among the at least two product catalogs available; and (2) communicating the input selection to a search engine module; or (1) selecting catalogs to be searched from among the at least two product catalogs available based on preferences or history; and (2) communicating the catalog selection to a search engine program; and structural equivalents thereof. <i>See, e.g.</i>, '683 Patent, Col. 5, 1. 66 to Col. 6, 1. 3; Col. 6, 11. 11-13; Col. 7, 11. 38-43; Col. 7, 1. 61 to Col. 8, 1. 2; Col. 8, 11. 8-26; Col. 8, 11. 33-58; Col. 9, 11.</p>	<p><u>Function</u>: Selecting more than one product catalog to search.</p> <p><u>Means</u>: Two means for selecting product catalogs are disclosed:</p> <ol style="list-style-type: none"> 1. A software means initiated from catalog search program (50 or 250) running on local computer (20 or 220) that consists of the following steps: <ol style="list-style-type: none"> a. selecting more than one product catalog from a list of available catalogs ('683 Col. 9:52-67); and b. concatenating (i.e., joining together) the selected product catalogs to be searched (9:67-10:4). 2. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps: <ol style="list-style-type: none"> a. entering vendor identification into requisition/purchasing system (10:8-11); b. communicating vendor

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	computer via the DDE protocol of interface (60) (<i>id.</i> 10:8-20).	19-34; Col. 9:52-Col. 10:20; Col. 16,11.40-54; Col. 17,11.14-15; Col. 17,11.34-38; Col. 17,11. 56-61; Col. 18,11.32-39; Col. 18,11. 42-47; Col. 18, 11.52-67; Appendix VII; Figs. 1A, IB, 1C, 2.	identification from requisition/purchasing system to catalog search program running on same local computer via the DDE protocol of interface (60) (10:8-20); and c. concatenating (i.e., joining together) the selected product catalogs to be searched by the catalog search program based upon the received vendor identification (9:67-10:4). (Ex. G at 2.)
<p><u>9. Means for processing the requisition to generate one or more purchase orders for the selected matching items</u></p> <p>claims 3 and 6 of the '683 patent</p>	<p><u>Function:</u> Processing the requisition to generate one or more purchase orders for the selected matching items</p> <p><u>Means:</u> None.</p>	<p><u>Function:</u> processing the requisition to generate one or more purchase orders for the selected matching items.</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules including a purchasing module to execute an algorithm which includes the steps of: (1) accepting the requisition; and (2) generating one or more purchase orders based on the data included in the requisition relating to the matching items selected from the items returned from searching</p>	<p><u>Function:</u> Processing the requisition to generate one or more purchase orders for the selected matching items.</p> <p><u>Means:</u> One means for processing the requisition to generate one or more purchase orders is disclosed:</p> <p>1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:</p> <p>a. accepting/approving the requisition (15:20-26); and</p> <p>b. generating a separate purchase order for each</p>

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		selected product catalogs and based on predetermined rules relating to the user's preference (e.g., one purchase order to each distinct supplier referenced in the requisition); and structural equivalents thereof. <i>See, e.g.</i> , '683 Patent, Col. 1,11.10-35; Col. 10,11. 52-64; Col. 15,11. 20-54; Col. 17,11.44-48; Col. 18,11.18-29; Figs. 1-3.	inventory location from which a selected matching item has been sourced (15:26-49). (Ex. G at 4.)
<p><u>10. Means for processing said requisition to generate purchase orders for said selected matching items</u></p> <p>claim 1 of the '172 patent</p>	<p><u>Function:</u> Processing a requisition to generate purchase orders for the selected matching items.</p> <p><u>Means:</u> None.</p>	<p><u>Function:</u> processing a requisition to generate purchase orders for selected matching items.</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules including a purchasing module to execute an algorithm which includes the steps of: (1) accepting the requisition; and (2) generating purchase orders based on the data included in the requisition related to the selected matching items on the order list and based on predetermined rules relating to the user's preference (e.g., one</p>	<p><u>Function:</u> Processing the requisition to generate purchase orders for said selected matching items.</p> <p><u>Means:</u> One means for generating a purchase order is disclosed:</p> <p>1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:</p> <p>a. accepting/approving the requisition (15:20-26); and</p> <p>b. generating a separate purchase order for each inventory location from which a selected matching item has</p>

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		purchase order to each distinct supplier referenced in the requisition); and structural equivalents thereof. <i>See, e.g.,</i> '172 Patent Col. 1,11.15-40; Col. 10,11. 53-65; Col. 15,1. 39-Co1. 16,1. 4; Col. 18,11.6-16; Col. 18,11.54-67; Figs. 1-3.	been sourced (15:26-49). (Ex. G at 14.)
<p><u>11. Means for converting data relating to a selected matching item and an associated source to data relating to an item and a different source</u></p> <p>claims 3 and 6 of the '683 patent</p>	<p><u>Function:</u> Converting data relating to a selected matching item and an associated source to data relating to an item and a different source</p> <p><u>Means:</u> None.</p>	<p><u>Function:</u> converting data relating to a selected matching item and an associated source to data relating to an item and a different source.</p> <p><u>Exemplary corresponding structure, material and acts:</u> a computer which is programmed with special-purpose software modules to execute an algorithm which includes the steps of: (1) maintaining a cross-reference table or file identifying cross-referenced items, identical items or generally equivalent items and one or more codes corresponding to crossreferenced items, identical items or generally equivalent items; (2) for a selected matching item, accessing the cross-reference table or file to</p>	<p><u>Function:</u> Converting data relating to a selected matching item and an associated source to data relating to an item and a different source.</p> <p><u>Means:</u> One means for performing this function is disclosed:</p> <p>1. A software means which is automatically initiated by host pricing and inventory databases (11) running on host computer (10) in response to sourcing request from requisition/purchasing system (40 or 240), including the steps of:</p> <p>a. maintaining host pricing and inventory databases (11) with cross-references from distributor's catalog number to corresponding catalog numbers of other vendors for the same</p>

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		<p>identify an identical item or generally equivalent item cross-referenced to the selected matching item and associated with a different source; and (3) replacing the selected matching item and its associated source with the identical item or generally equivalent item and its different source in a requisition; and structural equivalents thereof. <i>See, e.g.</i>, '683 Patent, Col. 4, 1. 60 - Col. 5, 1. 8; Col. 10, 11.43-52; Col. 14, 11.35-45; Col. 16, 11.8-32; Col. 16, 11.54-62; Col. 17, 11.29-48; Appendices VII-X.</p>	<p>product (4:63-5:8);</p> <p>b. transmitting data for selected matching items in requisition from requisition/purchasing system (40) running on local computer (20) to host pricing and inventory databases (11) running on host computer (10) (14:12-25);</p> <p>c. automatically recognizing that catalog number for selected matching item in requisition corresponds to same or similar item in another catalog (4:66-5:8; 10:43-48); and</p> <p>d. substituting and transmitting back to requisition/purchasing system (40) the name, contract price, and availability for corresponding cross-referenced item (10:48-52). (Ex. G at 5.)</p> <p>In the <i>Ariba</i> case, the court instructed the jury that the phrase "means for converting data" has the following definition:</p>

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			<p>“Means for converting data is the process of changing from one form or format to another; where information is concerned, a changeover that affects form but not substance. You must read alongside this definition the definition of a ‘conversion table; ‘a table listing a set of characters or numbers and their equivalents in another coding scheme.’ The definition of ‘equivalent’ for these purposes is ‘having identical or similar effects; corresponding or practically equal in effect.’ The ‘converting’ or ‘cross-referencing’ does not require the automatic replacement of ordered items and can be satisfied by user-initiated replacements of selected matching items, which the system accomplishes through cross-referencing tables. Cross-referenced searching for equivalent items qualifies as converting and this process need not occur automatically, either as a function of the</p>

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			original search or after a user has placed an order.” (Ex. F at 27.)
<u>12. A multiple purchase order generation module, said purchase order generation module creating multiple purchase orders from a single requisition created with said user generated criteria and said search-module criteria</u> claim 21 of the '516 patent	<u>Function:</u> Creating multiple purchase orders from a single requisition created with said user-generated criteria and said search-module criteria <u>Means:</u> None.	This claim element requires no construction beyond its plain and ordinary meaning.	
<u>Remaining Terms and Phrases</u>			
<u>1. Catalog / Product Catalog</u> “catalog” claims 1, 2, 6, 9, 21, 22, and 29 of the '516 patent “product catalog” claims 3, 26, 28, and 29 of the '683 patent	A collection of text and images organized and published by a vendor, representing products sold by that vendor.	This claim term does not require construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes such term requires construction, ePlus proposes the following construction: an organized collection of items and associated information which typically includes a part number, price, catalog number, vendor name, vendor ID, a textual description of an item, and images of or relating to the item.	Product Catalog: “An organized collection of items and associated information which can include, for example, a part number, price, catalog number, vendor name, vendor ID, a textual description of an item, and images of or relating to the item.” (Ex. G at 2.)

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<u>2. Converting data relating to a selected matching item . . . to an item and a different source</u> claims 3, 6, 28, and 29 of the '683 patent	Substituting a catalog entry related to a product with a catalog entry describing the product from a different source by using matching codes in a cross-reference table for sourcing and pricing.	This term requires no construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes such term requires construction, ePlus proposes the following construction: A process of cross-referencing data relating to a selected matching item and an associated source to an item and a different source.	In the <i>Ariba</i> case, the court interpreted "conversion" as "The process of changing from one form or format to another; where information is concerned, a changeover that affects form but not substance." (Ex. E at 19-20.)
<u>3. Matching Items</u> claims 3, 6, 26, 28, and 29 of the '683 patent claim 1 of the '172 patent	The results of a search of items matching a user-entered search criteria (i.e. "Hit List").	This term requires no construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes such term requires construction, ePlus proposes the following construction: items returned in search results that satisfy search criteria.	Items [products or services] in search results that have been selected for inclusion in a requisition. (Ex. G at 1.) The search results. (Ex. F at 27.)
<u>4. Selected Matching Items</u> claims 3, 6, 26, 28, and 29 of the '683 patent claim 1 of the '172 patent	One or more items selected by a user in the search program from the list of 'matching items' for inclusion in an order list.	This term requires no construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes such term requires construction, ePlus proposes the following construction: items returned in search results that satisfy search criteria and are selected for inclusion on a	The requisition items. (Ex. F at 27.)

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		hit list or in a requisition.	
<u>5. Electronic sourcing system</u> preamble of claims 3 and 6 of the '683 patent preamble of claims 1, 2, 6, 9, 21, 22, and 29 of the '516 patent preamble of claim 1 of the '172 patent	If found limiting, "A system for determining what inventory will be used to fulfill requests for items."	An electronic system for use by a prospective buyer to locate and find items to purchase from sources, suppliers, or vendors.	An electronic system for use by a prospective buyer to locate and find items to purchase from sources, suppliers, or vendors. (Ex. G at 1.)
<u>6. Subset</u> claims 1, 2, 9, and 29 of the '516 patent	Less than all of a set of selectable items	This term requires no construction beyond its plain and ordinary meaning.	
<u>7. Searching for matching items among the [selected product catalogs / data relating to the items]</u> claim 3 and 28 of the '683 patent	Searching selected product catalogs to locate items in response to user-entered search criteria.	This term requires no construction beyond its plain and ordinary meaning.	
<u>8. Order list</u> claim 1 of the '172 patent	A list of items derived from a list of selected matching items.	This term requires no construction beyond its plain and ordinary meaning.	
<u>9. Protocol</u> claims 1, 2, 6, and 29 of the '516 patent	A procedure.	This term requires no construction beyond its plain and ordinary meaning.	
<u>10. Cross-Reference Table</u>	A table including reference or	This term requires no	

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claims 21, 22, and 29 of the '516 patent	identification codes used to link vendor items by catalog number between two or more different vendors determined by a Distributor to be equivalent.	construction beyond its plain and ordinary meaning.	